

# Courtroom Dynamics and Ethics

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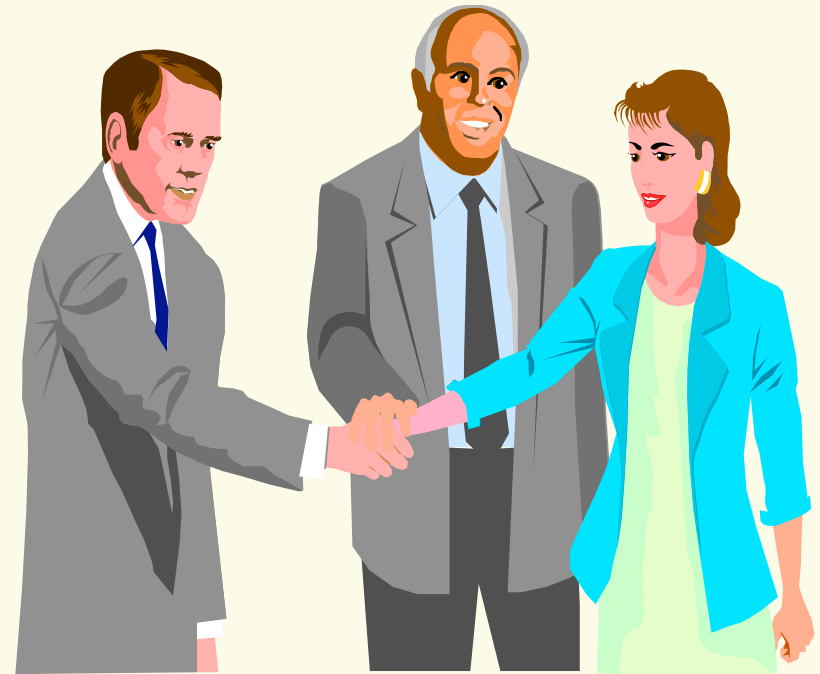
# Beau Brock, R.C.E.C.

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- ✓ Environmental crimes chief in East Baton Rouge Parish from Oct. 1996- March 1999.
- ✓ Handled over 2,000 criminal cases.
- ✓ Lead counsel on 53 criminal jury trials.
- ✓ 16 defendants serving life w/o parole.
- ✓ 3 defendants on death row.
- ✓ 8 cases involved introduction of DNA.

# I am with the Government and am here to help you

- ✓ Teamwork and the glue is you. “Bucket Brigade.”
- ✓ Importance of Accepting this Challenge...
- ✓ Example of *Kevin Christy*.
- ✓ Unavoidable truths confront effective criminal prosecution.



# Crime Scene

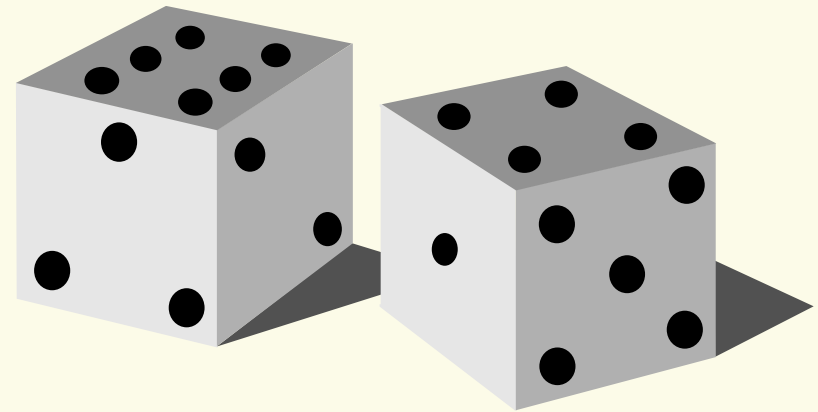
- ✓ Generate your sampling plan.
- ✓ Follow protocol.  
Suggestions SW-846
- ✓ Consult “Chief” for impromptu changes.
- ✓ Photographs, Video and Measurements.
- ✓ Example of *Frank Ford Cosey*.
- ✓ Documentation.



# Court... Room 222

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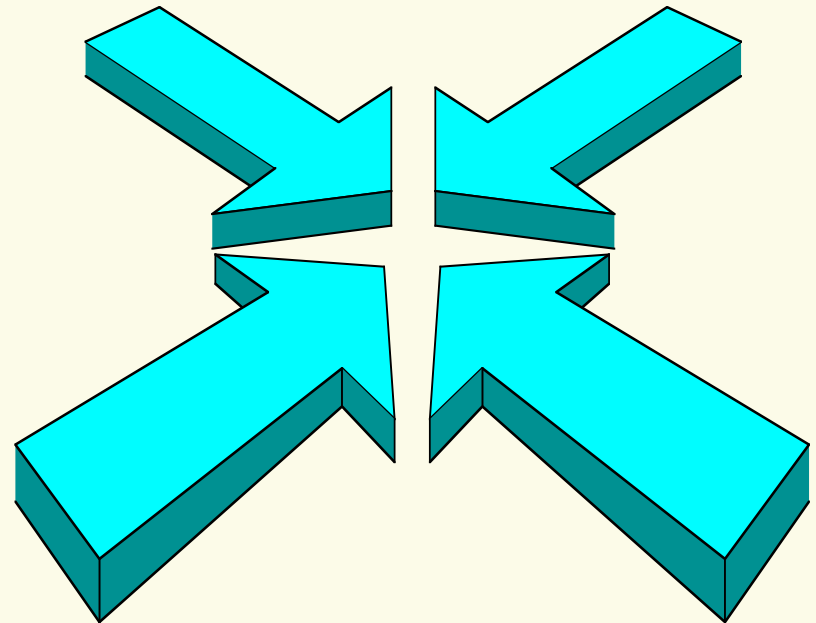
- ✓ Your Courtroom.
- ✓ Government sits by Jury. Get layout.
- ✓ Lawyers cannot approach you.
- ✓ Electronic devices help and hurt you.
- ✓ Education through Voir Dire.



# Testimonial Aids

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- ✓ Flow Charts; C.V.
- ✓ Chain of Custody  
*Donovan Davis*  
example.
- ✓ Eases Understanding  
for jurors.
- ✓ Exhibit/Answers  
checklist for witness.
- ✓ “Paperless”  
Courtroom?



# Interview with a Vampire, er, I mean, the Prosecutor

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- ✓ She wants to know the truth.

  - “Completeness” obligation.

- ✓ You are talking to a child---who sucks blood for a living.

- ✓ ISTJ vs. ENTJ.

- ✓ Bring your C.V. with you.

- ✓ Report: written or oral



# Prosecutorial Ethical Concerns

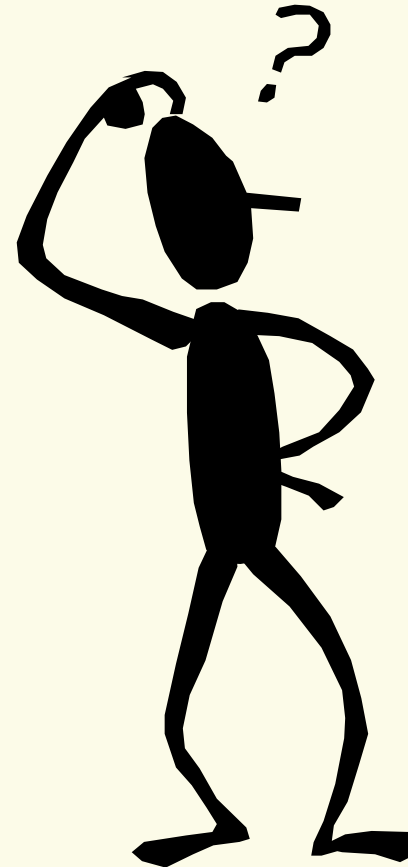
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✓ 'McDade' Act.

— *-Wheat* Motion.

✓ *Brady v. Maryland*

✓ *Kyles* Request.





# What You Should Know Before Testifying

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- ✓ Answers not Questions.
- ✓ Square Pegs & Round Holes - Exhibits in your testimony.
- ✓ Others' Work Product and Theory of the Case.
- ✓ Opposing Experts reports.

# The Government Calls YOU!

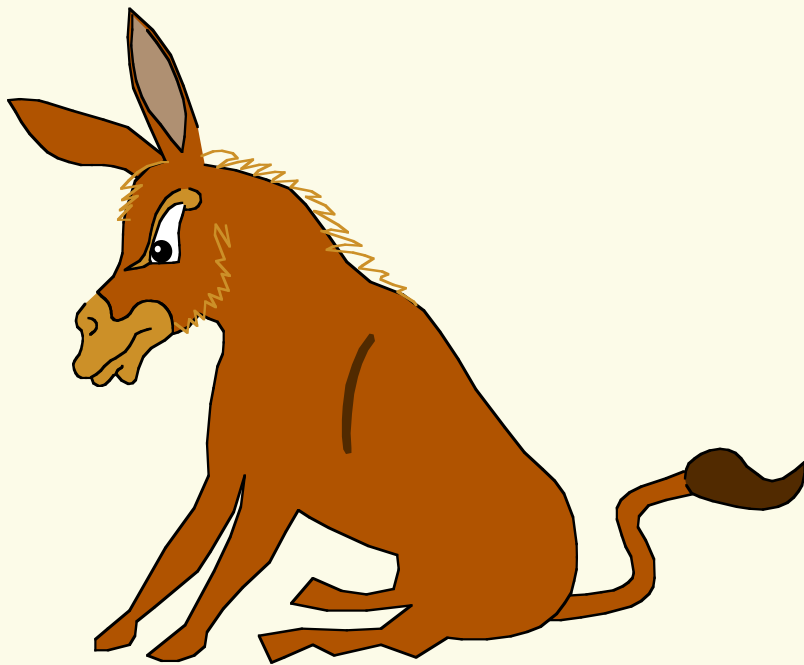
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- ✓ Neat Appearance.
  - You represent “U.S.”
- ✓ Proper Attire.
  - “Hastings”
- ✓ Hallway “smoke Breaks.”
- ✓ You are the target.
- ✓ Ethical ‘highest’ calling will be aided by focusing jury on words not looks.

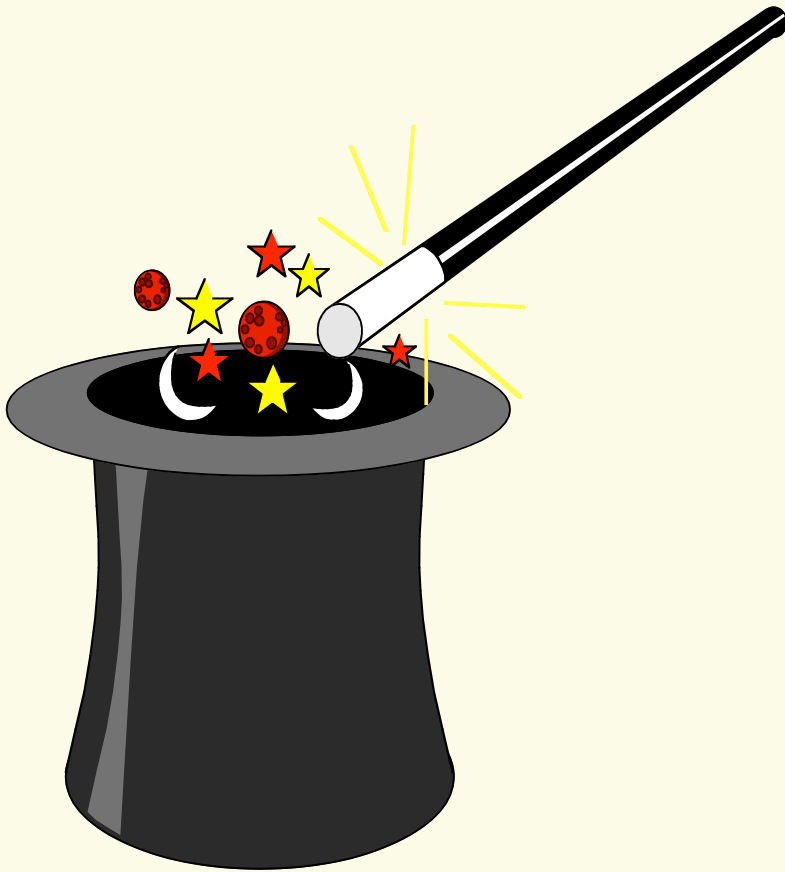
# Experts - Ethics and Ethereal

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- ✓ Credentials.
- ✓ Prior Testimony.
- ✓ Can testify to hearsay used for opinion.
- ✓ What you do at your job everyday.
- ✓ Leading questions.
- ✓ Reports.
- ✓ Assertively question issues you see.

# Don't love me for my mind, love me for my body --- language

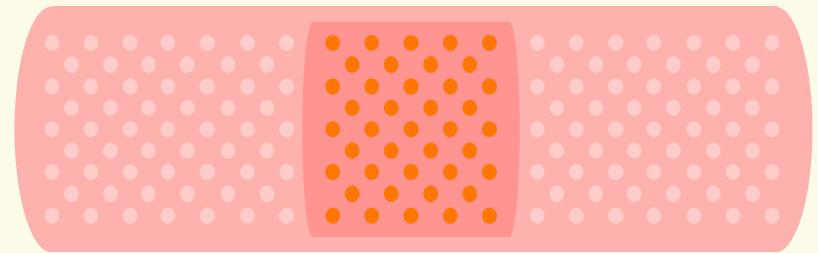


- ✓ God or the Great Spirit or Magic is in the courtroom.
  - Strange things will happen.
  - *Alton Gavin.*
- ✓ Mannerisms.
- ✓ Open to the Jury.
- ✓ Earth tones, baby.
- ✓ Step up to the “mike.”

# The Direct Examination

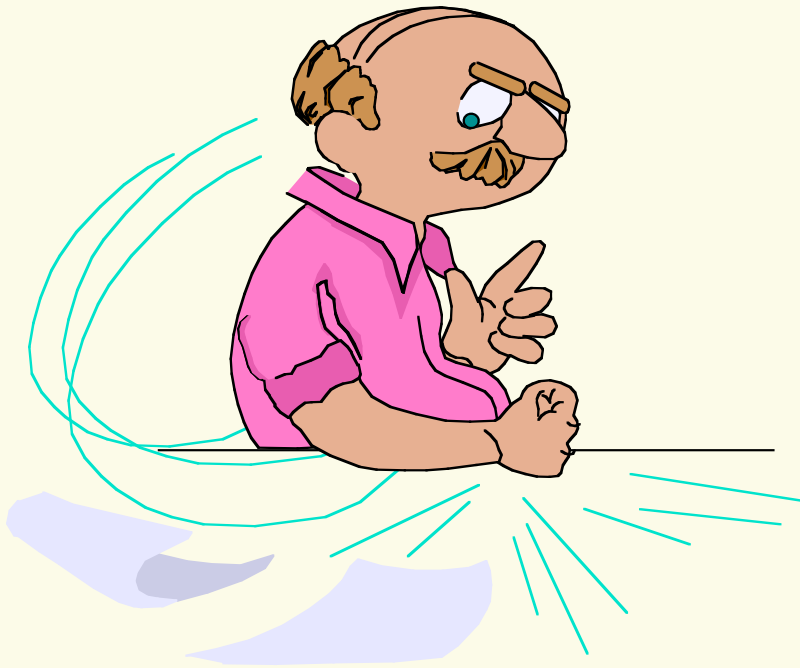
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- ✓ Tell the truth.
  - A jury can always tell  
...SO...
- ✓ Credentials.
- ✓ Wait for the Question.
- ✓ Look at the Jury.
- ✓ Use demonstrative aids.
- ✓ Maybe you don't know.



# Cross Examination

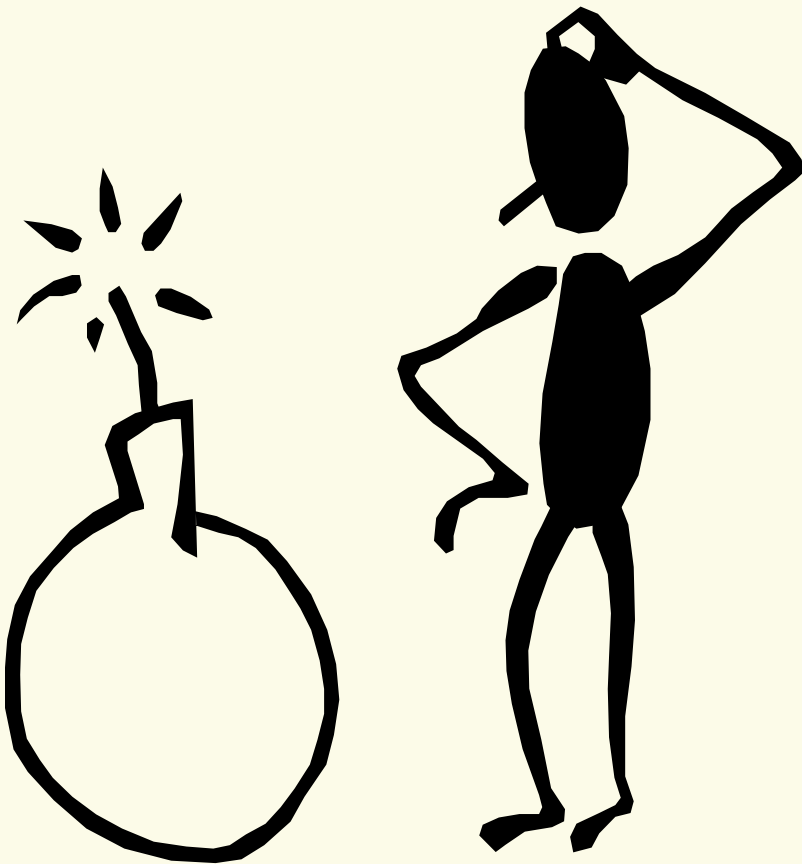
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- ✓ Listen to Questions.
- ✓ Objection?
- ✓ Time for Bud Grant.
- ✓ Should already know pitfalls (and so should Vlad).
- ✓ Keep it simple, he doesn't want a date.
- ✓ Better to have died a small child...

# The Unholy War

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- ✓ Different client than “U.S.”
- ✓ Collection Protocol.
  - Who are the samplers.
- ✓ Contamination.
  - Contract labs.
- ✓ Chain of Custody.
  - Yours, mine, & ours.
- ✓ Lab Qualifications.
  - ASCLAD.

# The Second Crusade

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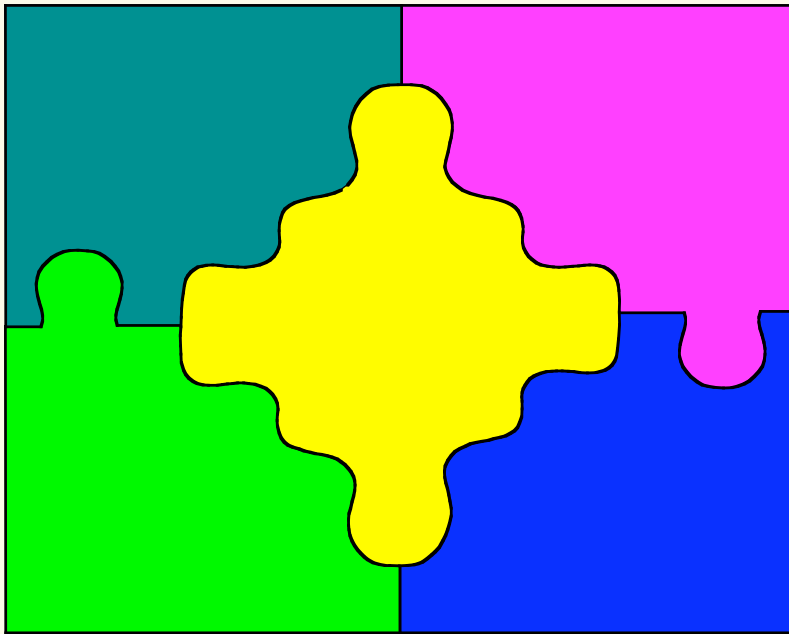
- ✓ Use of available technology & care.
- ✓ Labeling & bagging.
- ✓ Split sampling.
- ✓ You just don't make sense.
- ✓ Proficiency testing and audits.





# Tales from the Darkside

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- ✓ *Hall Buck Marine*
  - *To dive or not dive.*
- ✓ *Donovan Davis.*
  - *Afterthought sperm.*
- ✓ *Eugene Holmes.*
  - *Unwashed clothes.*
- ✓ *Mark Marinoff.*
  - *Seatbelts.*
- ✓ *David Bowie.*
  - *Cigarette Tech.*